

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 07-2004)

ORIGINATOR'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

L7990.04103

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/508,971

INTERNATIONAL APPLICATION NO.  
PCT/JP03/03662INTERNATIONAL FILING DATE  
March 25, 2003PRIORITY DATE CLAIMED  
March 26, 2002

## TITLE OF INVENTION

ELECTROLYTE MEMBRANE-ELECTRODE ASSEMBLY, FUEL CELL USING THE SAME AND PRODUCTION METHOD THEREOF

## APPLICANT(S) FOR DO/EO/US

Akihiko YOSHIDA, Yoshihiro HORI, Makoto UCHIDA, Eiichi YASUMOTO, Yasuo TAKEBE, Osamu SAKAI  
Shinya KOSAKO, Takeshi YONAMINE, Masaki YAMAUCHI, Yasushi SUGAWARA and Junji MORITA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

Cover Letter

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/508,971</b>	INTERNATIONAL APPLICATION NO. <b>PCT/JP03/03662</b>	ATTORNEY'S DOCKET NUMBER <b>L7990.04103</b>
---	--	--

24. The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1110.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$950.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$790.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$750.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$0.00</b>	
				<b>\$130.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$18.00	<b>\$0.00</b>	
Independent claims	- 3 =	0	x \$88.00	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$130.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$0.00</b>	
<b>SUBTOTAL =</b>				<b>\$130.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$130.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input checked="" type="checkbox"/>				<b>\$40.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$170.00</b>	
				Amount to be: refunded	\$
				charged	\$

- a. ☒ A check in the amount of **\$170.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **19-4375**
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

**James E. Ledbetter**  
**STEVENS, DAVIS, MILLER & MOSHER, L.L.P.**  
**1615 L Street NW, Suite 850**  
**P.O. Box 34387**  
**Washington, DC 20043-4387**

SIGNATURE  
**James E. Ledbetter**  
NAME  
**28,732**  
REGISTRATION NUMBER  
**November 10, 2004**  
DATE



DT07 Rec'd PCT/PTO 09 FEB 2005 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Akihiko YOSHIDA, et al.

Application No.: 10/508,971

Filed: September 24, 2004

For: ELECTROLYTE MEMBRANE-ELECTRODE ASSEMBLY, FUEL  
CELL USING THE SAME AND PRODUCTION METHOD THEREOF

REQUEST FOR WITHDRAWAL OF NOTICE OF MISSING PARTS

Honorable Commissioner of  
Patents and Trademarks  
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Application under 37 CFR 1.53(b), dated December 17, 2005, it is noted that a Declaration for Patent Application was submitted on November 10, 2004, as evidenced by the attached copy of the date-stamped receipt. For the convenience of the Examiner, a copy of the Declaration is attached, as well as a copy of the Cover Letter.

Accordingly, no fees are deemed to be due, and withdrawal of the Note of December 17, 2005 is warranted.

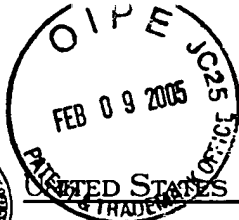
Respectfully submitted,

James E. Ledbetter  
Registration No. 28,732

Date: February 9, 2005

JEL/ejw

ATTORNEY DOCKET NO. L7990.04103  
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.  
1615 L. Street, NW, Suite 850  
Washington, DC 20036  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200



10 Rec'd Feb 10

09 FEB 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/952,432	09/29/2004	Akihiko Yoshida	L7990.04103

CONFIRMATION NO. 7394

## FORMALITIES LETTER



\*OC000000014783349\*

24257  
 STEVENS DAVIS MILLER & MOSHER, LLP  
 1615 L STREET, NW  
 SUITE 850  
 WASHINGTON, DC 20036

Date Mailed: 12/17/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$920** for a Large Entity

- **\$790** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

---

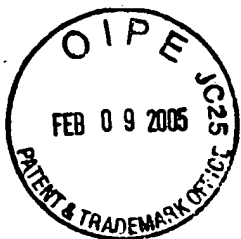
*A copy of this notice MUST be returned with the reply.*

*Blende*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



10 Rec'd PCT 09 FEB 2005



**STEVENS, DAVIS, MILLER & MOSHER, L.L.P.**  
1615 L Street, NW, Suite 850  
Washington, DC 20036

THE PATENT AND TRADEMARK OFFICE OFFICIAL FILING DATE STAMP HEREON IS  
ACKNOWLEDGMENT OF FILING:

<input type="checkbox"/>	Letter Regarding Title of Application	<input type="checkbox"/>	Verified Transl. of PCT Interntl.
<input type="checkbox"/>	Application Data Sheet	<input type="checkbox"/>	Appln. of PCT/ including:
		<input type="checkbox"/>	Pages of Specification
		<input type="checkbox"/>	Claims
<input type="checkbox"/>	Claim for Priority w/PCT/IB/304	<input type="checkbox"/>	One pg. Abstract of the Disclosure
	(in English)	<input checked="" type="checkbox"/>	Cover Letter
<input type="checkbox"/>	PCT/IB/308 (in English)	<input checked="" type="checkbox"/>	Assignment Document w/PTO-1595
<input type="checkbox"/>	PCT/RO/101 (in Japanese)	<input checked="" type="checkbox"/>	Declaration/Power of Attorney
<input type="checkbox"/>	PCT/IB/301 (in English)		
<input type="checkbox"/>	PCT/IPEA/409 (in w/Engl. translation)		
<input type="checkbox"/>	Verification of a Translation of the amended		
	sheets of Intern'l Appln. No. PCT/[]		
<input checked="" type="checkbox"/>	Transmittal Ltr. to U.S. Designated/Elected		
	Office (in dup.)		
<input checked="" type="checkbox"/>	Check No. 41328 for \$170.00		

APPLICANTS: Akihiko YOSHIDA, et al.  
TITLE: ELECTROLYTE MEMBRANE-ELECTRODE ASSEMBLY, FUEL CELL USING  
THE SAME AND PRODUCTION METHOD THEREOF  
DATE: September 24, 2004  
DOCKET NO.: L7990.04103  
APPLN. NO.: 10/508,971  
  
CLIENT NAME: ISHII PATENT OFFICE  
CLIENT NO.: 7990  
CLIENT REF. #: P30691-01  
ASSIGNEE: MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

Date Filed: November 10, 2004  
Old Due Date:  
New Due Date:  
Attorney Initials: \_\_\_\_\_

10 Rec'd FORW TO 09 FEB 2005

STEVENS, DAVIS, MILLER & MOSHER, LLP  
WASHINGTON, DC 20036

41328

Check #: 41328

Client #: 7990

RE: late filing of declaration, assign recordation

Docket #: L7990.04103 Serial #: 10/508,971

11/10/2004

\$170.00